

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - x

UNITED STATES OF AMERICA : :

- v - : **NOTICE OF MOTION**

FRANCISCO COLON, : **07 CR 620 (NRB)**

Defendant. : :

- - - - - x

PLEASE TAKE NOTICE, that upon the annexed declaration of **Steven M. Statsinger, Esq.**, the undersigned will move this Court, before the Honorable Naomi Reice Buchwald, United States District Judge for the Southern District of New York, 500 Pearl Street, New York, New York, at a time to be designated by the Court, for an order, pursuant to Rules 12 and 41 of the Federal Rules of Criminal Procedure, suppressing physical evidence and statement obtained from Mr. Colon in violation of the Fourth Amendment to the United States Constitution, or granting an evidentiary hearing on this motion, and granting such other and further relief as the Court deems just and proper.

Dated: New York, New York
September 7, 2007

Respectfully submitted,

LEONARD F. JOY, ESQ.
Federal Defenders of New York

By:

STEVEN M. STATSINGER, ESQ.
Attorney for Defendant
FRANCISCO COLON
52 Duane Street - 10th Floor
New York, New York 10007
Tel.: (212) 417-8736

TO:

MICHAEL J. GARCIA, ESQ.

United States Attorney
Southern District of New York
One St. Andrew's Plaza
New York, New York 10007

Attn: **Steve Kwok**, Esq.

Assistant United States Attorney

MR. FRANCISCO COLON

Reg. No. 60150-054

MDC-New York